

## REMARKS

Upon entry of this amendment, claims 1-7, 11 and 13 are pending in the instant application. Claim 12 is cancelled. Claim 13 is allowed. Claims 1, 4 and 5 are amended. Claim 1 has been amended to delete wherein  $R^6$  can be " $R_T$ , wherein  $R_T$  is a  $C_6$  or  $C_{10}$  aryl." Claim 4 has been amended to correct a clerical error. Claim 5 has been amended into independent form. No new matter is added by these amendments.

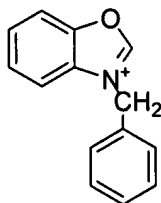
## CLAIM OBJECTIONS

The Examiner has objected to claim 4 for failing to include a period at the end of the claim. Applicants have amended claim 4 to include a period at the end of the claim and therefore the objection is moot and should be withdrawn.

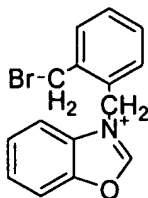
## CLAIM REJECTIONS

### CLAIM REJECTION UNDER 35 U.S.C. §102

Claims 1, 3 and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by JP 0719671 to Takahashi *et al.* ("Takahashi") and Federsel *et al.*, Tetrahedron Letters 21(25): 2429-2432, 1980 ("Federsel"). Takahashi discloses a compound:



And Federsel discloses a compound:



The compounds disclosed in Takahashi and Federsel require the nitrogen atom of the benzo[d]oxazole ring to be substituted with a substituted or unsubstituted  $C_6$  aryl. Applicants have cancelled claim 12 and amended claim 1 (from which claim 3 depends) to delete wherein

R<sup>6</sup> can be "R<sub>T</sub>, wherein R<sub>T</sub> is a C<sub>6</sub> or C<sub>10</sub> aryl." As such, Applicants submit that pending claims 1 and 3 are not anticipated by Takahashi or Federsel and respectfully request the rejection be withdrawn.

### **CONCLUSION**

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. If there are any questions regarding these remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
Matthew Pavao, Reg. No. 50,572  
Attorney/Agent for Applicant  
c/o MINTZ, LEVIN  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
**Customer No.: 30623**

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